



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 24, 2011

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Final Map And Execution Of Agreements For 101 West Canon Perdido Street

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Final Map Number 20,792 (Map) and other standard agreements relating to the approved subdivision at 101 West Canon Perdido Street, and authorize the City Engineer to record a removal document for the Land Development Agreement when the public improvements are complete.

DISCUSSION:

A Tentative Map for the subdivision located at 101 West Canon Perdido Street (Attachment 1), was conditionally approved on December 16, 2009, by adoption of the Staff Hearing Officer (SHO) Conditions of Approval, Resolution Number 104-09 (Attachment 2). The project involves a two-lot subdivision, and the conversion of the existing building into four commercial condominiums. Staff has reviewed the Map and has found the Map to be in substantial compliance with the previously approved Tentative Map, the Conditions of Approval, the State Subdivision Map Act, and the City's Subdivision Ordinance.

On January 25, 2011, Council made a determination to revise the Chapala Street Guidelines, which eliminated the curb extensions that were a Condition of Approval in the SHO resolution. Planning staff made a Level 2 Substantial Conformance Determination to document the removal of this requirement.

In accordance with the SHO approval, the Owner's authorized agent (Attachment 3) has signed and submitted the Map and the subject Agreements to the City, tracked under Public Works Permit Number PBW2010-01270. Council approval is required if Council agrees with the staff determination that the Map conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of the approval of the Tentative Map (Municipal Code, Chapter 27.09.060, City Council Action).

Staff recommends that Council authorize the City Administrator to execute the subject *Agreement Relating to Subdivision Map Conditions Imposed on Real Property* and the *Agreement for Land Development Improvements*.

The *Agreement Assigning Water Extraction Rights* does not require Council approval, and will be signed by the Public Works Director in accordance with City Council Resolution Number 02-131.

THE FINAL MAP IS AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.

ATTACHMENT(S): 1. Vicinity Map
2. Conditions required to be recorded concurrent with Final Map Number 20,792 by the Staff Hearing Officer Conditions of Approval Resolution Number 104-09
3. List of Owners

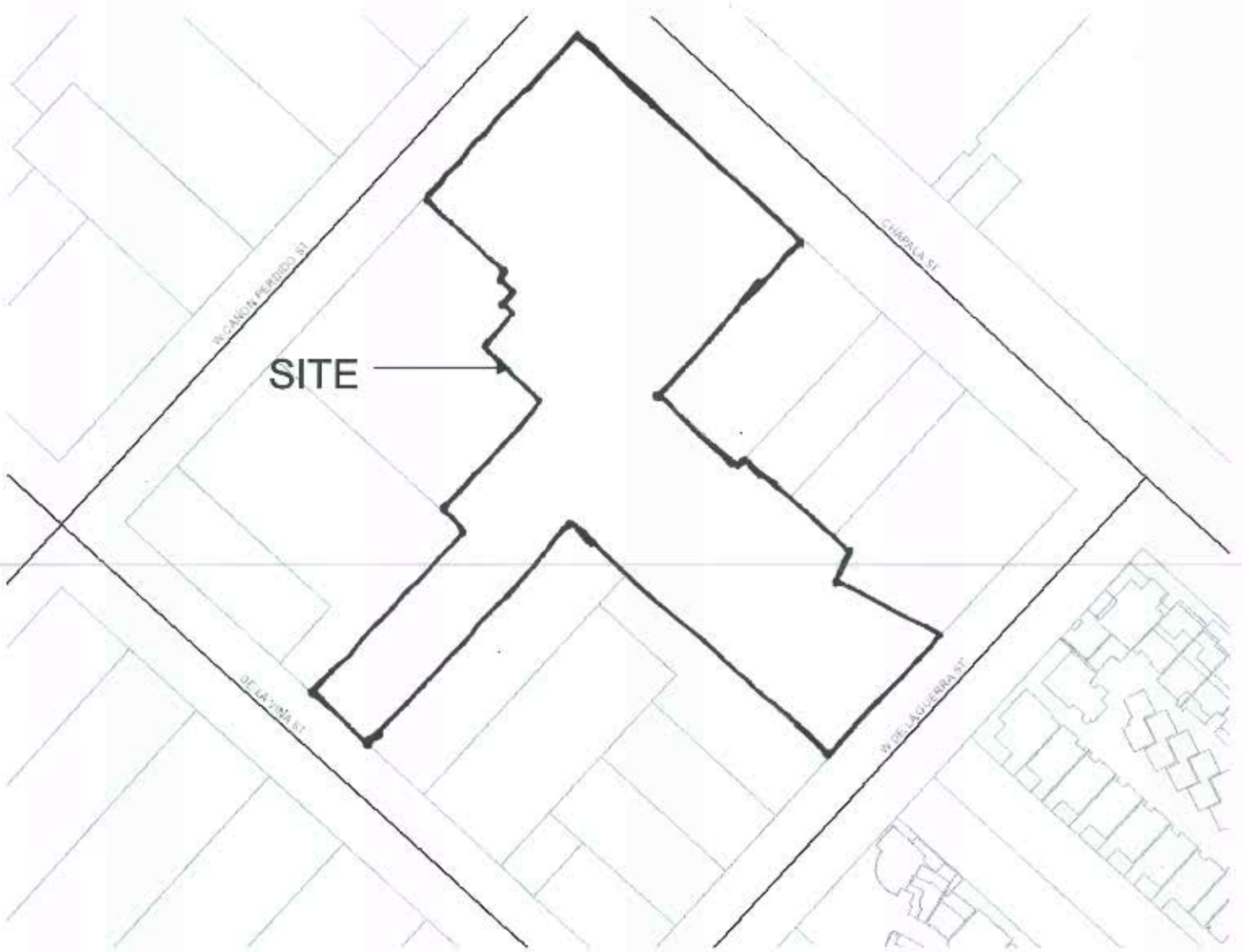
PREPARED BY: Mark Wilde, Supervising Civil Engineer/VJ/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

Vicinity Map 101 West Canon Perdido Street



Not to Scale

ATTACHMENT 2

CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH FINAL MAP NUMBER 20,792 BY STAFF HEARING OFFICER CONDITIONS OF APPROVAL, RESOLUTION NO. 104-09

101 West Canon Perdido Street
VERIZON PROPERTY

Said approval is subject to the following conditions:

1. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on December 16, 2009 is limited to a two-lot subdivision and a condo conversion of one of the lots to create four (4) commercial condominium units, and to construct the public improvements shown on the Tentative Subdivision Map, signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
2. **Building Permit Requirement.** In conjunction with the issuance of the first building permit on either proposed Lot 1 or proposed Lot 2, following recordation of the Parcel Map, the existing building on proposed Lot 1 shall comply with the handicap accessible entrance requirements for the Chapala Street entryway, in compliance with the California Code of Regulations.
3. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
4. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
5. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Historic Landmarks Commission (HLC). Such plan shall not be modified unless prior written approval is obtained from the HLC. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the HLC, the owner is responsible for its immediate replacement.
6. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium units.
 - b. **Spaces Available for Parking for Proposed Lots 1 and 2.** A covenant that includes a requirement that all required parking spaces be kept open and available for the parking of vehicles in the manner for which the spaces were designed and permitted.

- c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
- d. **Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.
- e. **Gates.** Any gates that have the potential to block access to any designated commercial space shall be locked in the open position during business hours.
- f. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.

ATTACHMENT 3

LIST OF OWNERS

101 W. Canon Perdido Street

Verizon California, Inc.